

1 JUDGE ROBERT S. LASNIK
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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

RICHMOND SEQUOIA HOMEOWNERS
ASSOCIATION, a Washington Non-Profit
Corporation,

Plaintiff,

v.

STATE FARM FIRE AND CASUALTY
COMPANY, an Illinois Corporation; and
DOE INSURANCE COMPANIES 1-10,

Defendants.

NO. 2:20-cv-01858-RSL

STIPULATED MOTION AND
ORDER FOR CONSOLIDATION
OF RELATED ACTIONS UNDER
FED. R. CIV. P. 42(a)(2)

RICHMOND SEQUOIA HOMEOWNERS
ASSOCIATION, a Washington Non-Profit
Corporation,

Plaintiff,

v.

ALLSTATE INSURANCE COMPANY, an
Illinois Corporation; and DOE INSURANCE
COMPANIES 1-10,

Defendants.

NO. 2:21-cv-00468-RSL

STIPULATED MOTION AND ORDER FOR
CONSOLIDATION OF RELATED ACTIONS
UNDER FED. R. CIV. P. 42(a)(2) - 1

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I. STIPULATION

Plaintiff Richmond Sequoia Homeowners Association (“Association”) and Defendants State Farm Fire and Casualty Company (“State Farm”) and Allstate Insurance Company (“Allstate”) (collectively the “Defendants”) hereby stipulate as follows:

1. The actions *Richmond Sequoia Homeowners Association v. State Farm Fire and Casualty Company, et al.*, Western District of Washington Cause No. 2:20-cv-01858-RSL and *Richmond Sequoia Homeowners Association v. Allstate Insurance Company, et al.*, Western District of Washington Cause No. 2:21-cv-00468-RSL both involve claims for insurance coverage for alleged incremental and progressive hidden damage to the Richmond Sequoia Condominiums. The lawsuits identified above involve the Association as Plaintiff in both actions and the following insurance companies as Defendants in the respective actions: (1) State Farm; and (2) Allstate.

2. While the actions have different defendants, they share common issues of fact and law as to liability and damages. The actions also involve many of the same lay and expert witnesses, Association records, and other documentary evidence. Both actions are assigned to the same Judge, the Honorable Robert S. Lasnik. Consolidating the lawsuits for trial under Fed. R. Civ. P. 42(a)(2) will promote efficiency and conserve judicial resources.

3. Pursuant to LCR 42(a), the Association and both Defendants stipulate that the later filed lawsuit, *Richmond Sequoia Homeowners Association v. Allstate Insurance Company, et al.*, Western District of Washington Cause No. 2:21-cv-00468-RSL, shall be consolidated into the earlier filed lawsuit: *Richmond Sequoia Homeowners Association v. State Farm Fire and Casualty Company, et al.*, Western District of Washington Cause No. 2:20-cv-01858-RSL. The Association and Defendants agree that the caption for the earlier filed lawsuit, *Richmond Sequoia Homeowners Association v. State Farm Fire and Casualty Company, et al.*, Western District of Washington Cause No. 2:20-cv-01858-RSL, shall be amended to add Allstate.

1 4. *Richmond Sequoia Homeowners Association v. State Farm Fire and Casualty*
2 *Company, et al.*, Western District of Washington Cause No. 2:20-cv-01858-RSL is currently set
3 for a jury trial on May 2, 2022. *Richmond Sequoia Homeowners Association v. Allstate*
4 *Insurance Company, et al.*, Western District of Washington Cause No. 2:21-cv-00468-RSL is
5 currently set for a jury trial on September 12, 2022.

6 5. The parties agree and request that the case schedule for the later filed lawsuit,
7 *Richmond Sequoia Homeowners Association v. Allstate Insurance Company, et al.*, Western
8 District of Washington Cause No. 2:21-cv-00468-RSL, shall govern this consolidated lawsuit.

9 6. The Association and Defendants agree that: (1) the consolidated case will be
10 ready for trial by September 12, 2022, or as soon thereafter as permitted by the Court's schedule;
11 and (2) the estimated length of trial is seven to ten days.

12 7. The Association and Defendants have met and conferred regarding this Stipulation
13 and Proposed Order, as called for in LCR 42(b).

14
15 DATED 10/29/2021

By /s/ Daniel J. Stein

Jerry Stein, WSBA #27721

Justin Sudweeks, WSBA #28755

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Jessica R. Burns, WSBA #49852

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Attorneys for Plaintiff *Richmond Sequoia*
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24 DATED 10/27/2021

By /s/ Richard G. Gawlowski

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DATED 10/28/2021

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STIPULATED MOTION AND ORDER FOR
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II. ORDER

Based on the foregoing Stipulation, it is hereby ORDERED:

1. That the later filed lawsuit, *Richmond Sequoia Homeowners Association v. Allstate Insurance Company, et al.*, Western District of Washington Cause No. 2:21-cv-00468-RSL, shall be consolidated into the earlier filed lawsuit *Richmond Sequoia Homeowners Association v. State Farm Fire and Casualty Company, et al.*, Western District of Washington Cause No. 2:20-cv-01858-RSL.

2. That the caption for the earlier filed lawsuit, *Richmond Sequoia Homeowners Association v. State Farm Fire and Casualty Company, et al.*, Western District of Washington Cause No. 2:20-cv-01858-RSL, shall be amended to add Allstate.

3. The parties agree that trial shall take place on September 12, 2022. The case schedule for the later filed lawsuit, *Richmond Sequoia Homeowners Association v. Allstate Insurance Company, et al.*, Western District of Washington Cause No. 2:21-cv-00468-RSL, shall govern the consolidated lawsuit, as set forth below.

JURY TRIAL DATE	September 12, 2022
Deadline for amending pleadings	March 16, 2022
Reports from expert witnesses under FRCP 26(a)(2) due	March 16, 2022
All motions related to discovery must be noted on the motion calendar no later than the Friday before discovery closes pursuant to LCR 7(d) or LCR 37(a)(2)	
Discovery completed by	May 15, 2022
Settlement conference held no later than	May 29, 2022
All dispositive motions must be filed by and noted on the motion calendar no later than the fourth Friday thereafter (see LCR 7(d))	June 14, 2022
All motions in limine must be filed by and noted on the motion calendar no later than the <u>second</u> Friday thereafter. Replies will be accepted.	August 15, 2022
Agreed pretrial order due	August 31, 2022
Pretrial conference to be scheduled by the Court.	

1 Trial briefs, proposed voir dire questions, proposed jury instructions, and trial exhibits due	September 7, 2022
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2 DONE IN OPEN COURT this 1st day of October, 2021.

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5 HONORABLE ROBERT S. LASNIK

6 Presented by:

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3 Casualty Company
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